

Fishery Conservation and Management

§ 679.60

(ii) *Certification level.* At least one of the observers required under paragraphs (c)(5)(i)(A) and (B) of section must be certified as a lead CDQ observer as specified in paragraph (h)(1)(i)(E)(f) of this section.

(iii) *Observer work load.* The time required for the observer to complete sampling, data recording, and data communication duties may not exceed 12 consecutive hours in each 24-hour period, and, the observer may not sample more than 9 hours in each 24-hour period.

* * * * *

(d) *Observer requirements for shoreside processors.* * * *

(5) *AFA inshore processors* (applicable through January 16, 2001)—(i) *Coverage level.* An AFA inshore processor is required to provide a NMFS certified observer for each 12 consecutive hour period of each calendar day during which the processor takes delivery of, or processes, groundfish harvested by a vessel engaged in a directed pollock fishery in the BSAI. A processor that takes delivery of or processes pollock for more than 12 consecutive hours in a calendar day is required to provide two NMFS-certified observers for each such day.

(ii) *Multiple processors.* An observer deployed to an AFA inshore processor may not be assigned to cover more than one processor during a calendar day in which the processor receives or processes pollock harvested in the BSAI directed pollock fishery.

* * * * *

EFFECTIVE DATE NOTE: At 65 FR 4541, Jan. 28, 2000, Subpart F was added, effective Jan. 21, 2000, through July 20, 2000, except § 679.60(d) which contains information collection and recordkeeping requirements and will not become effective until approval has been given by the Office of Management and Budget. At 65 FR 15578, Mar. 23, 2000, § 679.64 was corrected by revising paragraphs (a), (b), the first sentence of paragraph (d), and paragraph (e). At 65 FR 39107, June 23, 2000, the effective date was extended from July 20, 2000, through Jan. 16, 2001. For the convenience of the user, Subpart F follows:

Subpart F—American Fisheries Act Management Measures (Applicable through January 16, 2001)

§ 679.59 Authority and related regulations.

Regulations under this subpart were developed by the National Marine Fisheries Service and the North Pacific Fishery Management Council to implement the American Fisheries Act (AFA) [Div. C, Title II, Subtitle II, Public Law No. 105-277, 112 Stat. 2681 (1998)]. Additional regulations that implement specific provisions of the AFA are set out at § 679.2 *Definitions*, § 679.4 *Permits*, § 679.5 *Recordkeeping and reporting*, § 679.7 *Prohibitions*, § 679.20 *General limitations*, § 679.21 *Prohibited species bycatch management*, § 679.28 *Equipment and operational requirements for Catch Weight Measurement*, § 679.31 *CDQ reserves*, and § 679.50 *Groundfish Observer Program applicable through December 31, 2000*.

§ 679.60 Catcher/processor and mothership pollock cooperatives.

(a) *Applicability.* Any fishery cooperative formed under section 1 of the Act of June 25, 1934 (15 U.S.C. 521) for the purpose of cooperatively managing directed fishing for BSAI pollock for processing by catcher/processors or motherships must comply with the provisions of this section.

(b) *Filing of fishery cooperative contracts.* Any contract implementing a fishery cooperative for the purpose of cooperatively managing directed fishing for BSAI pollock for processing by catcher/processors or motherships, and any material modifications to any such contract must be filed not less than 30 days prior to the start of fishing under the contract with the Council and with the Regional Administrator, together with a copy of a letter from a party to the contract requesting a business review letter on the fishery cooperative from the Department of Justice and any response to such request. Any fishery cooperative intending to deliver pollock to an AFA mothership also must notify the owners of the AFA mothership not less than 30 days prior to the start of fishing under the contract.